

United States District Court

SOUTHERN

DISTRICT OF

United States District Court

MCALLEN DIVISION

Texas

FILED

UNITED STATES OF AMERICA

V.

JUL 08 2016 CRIMINAL COMPLAINT

1 Hugo Alberto Garcia-Garcia CT. 1	PRINCIPAL YOB: 1969	LPR	Clerk of Court	Case Number: M-16-1295-M
2 Natividad Garcia-Lopez CT. 1	CO-PRINCIPAL YOB: 1975	LPR		
3 Julio Cesar Martinez CT. 2	CO-PRINCIPAL YOB: 1975	United States Citizen		

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about July 6, 2016 in Starr County, in the Southern District of Texas defendants(s) did,

(Track Statutory Language of Offense)
CT. 1 knowing or in reckless disregard of the fact that Margarito Garcia-Estrada, a citizen of Mexico, along with three (3) other undocumented aliens, for a total of four (4), who had entered the United States in violation of law, did knowingly transport, or move or attempt to transport said aliens in furtherance of such violation of law within the United States, that is, from a location near Roma, Texas to the point of arrest near Sullivan City, Texas,

CT. 2 knowing or in reckless disregard of the fact that Lorenzo Manuel Dorantes-Perez and Carlos Vargas-Sandoval, citizens of Mexico, along with two (2) other undocumented aliens, for a total of four (4), who had entered the United States in violation of law, concealed, harbored or shielded from detection or attempted to conceal, harbor, or shield from detection such aliens in any place, including any building or means of transportation,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) and 1324(a)(1)(A)(iii) FELONY
I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On July 6, 2016, the Starr County Sheriff's Office received an anonymous call stating a silver, four door sedan, with damage to the left side of the rear bumper, had possibly picked up illegal aliens, and was travelling east on Expressway 83 toward McAllen, Texas.

SEE ATTACHED

Continued on the attached sheet and made a part of this complaint:

THT OK to file,

Yes No

Fred H. Hernandez
Signature of Complainant

Frediberto Hernandez Senior Patrol Agent
Printed Name of Complainant

at McAllen, Texas

City and State

Dorina Ramos

Signature of Judicial Officer

July 8, 2016

Date

Dorina Ramos, U. S. Magistrate Judge
Name and Title of Judicial Officer

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS

ATTACHMENT TO CRIMINAL COMPLAINT:

M-16-1295-M

RE: **Hugo Alberto Garcia-Garcia**
 Natividad Garcia-Lopez
 Julio Cesar Martinez

CONTINUATION:

Deputy Sheriff Robert Rodriguez observed a vehicle matching the description traveling eastbound on Expressway 83, between Alto Bonito, Texas and Sullivan City, Texas. Deputy Rodriguez approached the silver Ford Taurus, and observed the driver of the car, later identified as Hugo Alberto GARCIA-Garcia nervously trying to put on his seat belt. Deputy Rodriguez performed a vehicle stop near Sullivan City, Texas for a seat belt violation. As Deputy Rodriguez walked up to the car, he noticed the damage on the rear bumper of the vehicle that was mentioned by the anonymous caller. The passenger of the vehicle, identified as Natividad GARCIA-Lopez, claimed to be Hugo GARCIA'S wife.

During the stop, both Hugo GARCIA and Natividad Garcia voluntarily told the Deputy that they were transporting illegal aliens from 37 Huisache Avenue in Roma, Texas to the Home Depot on Jackson Street in McAllen, Texas. Deputy Rodriguez requested Border Patrol's assistance in determining everyone's citizenship.

Border Patrol Agent Moya arrived and determined the husband and wife team sitting in the front seats were Lawfully Admitted Permanent Residents, and the four subjects in the rear seat of the vehicle were illegally present in the United States. All six people were transported back to the McAllen Border Patrol Station for processing.

While agents were processing the six people found in the vehicle, Starr County Deputy Dario Marquez and Border Patrol Agents from Rio Grande City Border Patrol Station proceeded to 37 Huisache Avenue in Roma, Texas to check if there were any additional illegal aliens being harbored at that location. Deputy Marquez knocked on the door at 37 Huisache Avenue in Roma, Texas. A woman opened the door, and did not give consent to the deputy to enter. Deputy Marquez then asked to speak to the woman's boyfriend who was inside the house. The boyfriend, identified as Julio Cesar MARTINEZ, exited the house. He told Deputy Marquez the house was his and allowed him to enter.

Border Patrol Agents found four undocumented aliens inside the home. The woman who answered the door and her boyfriend, MARTINEZ, both claimed to be United States Citizens. The woman had outstanding traffic warrants, and was taken into custody by the Starr County Sheriff's office. The four illegal aliens and MARTINEZ were taken to the Rio Grande Border Patrol Station for processing.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS

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 Julio Cesar Martinez

CONTINUATION:

PRINCIPAL'S STATEMENTS:

1-Hugo Alberto GARCIA-Garcia was read his Miranda Rights by Agent J. Ruiz. GARCIA-Garcia stated that he understood his rights and was willing to provide a sworn statement without the presence of an attorney.

Hugo Alberto GARCIA-Garcia stated that he is a Permanent Resident Alien. He stated that the front passenger is his wife, Natividad GARCIA-Lopez. Both of them drove to a home located on Huisache Avenue in Roma, Texas. Once at the home, a male subject, who he identified as Julio Cesar MARTINEZ, in a photo lineup escorted the four undocumented aliens onto his vehicle. He then drove eastbound towards McAllen but was subsequently stopped by law enforcement. They had made the smuggling arrangements with his wife's friend to transport the undocumented aliens to the Home Depot on Jackson Road in McAllen. They were going to get paid \$100 per undocumented alien. He further stated that he knew the four subjects were undocumented aliens and that it was illegal to transport them, but he did it anyways because he needed money and it sounded easy.

2-Natividad GARCIA-Lopez was read her Miranda Rights by Agent B. Summer. GARCIA-Lopez stated that she understood her rights and was willing to provide a sworn statement without the presence of an attorney.

Natividad GARCIA-Lopez stated that she received a call from a male subject to pick four men from a house in Roma, Texas and transport them to the Home Depot in McAllen, Texas. They did as instructed and once at the home, a male subject, who she identified as Julio Cesar MARTINEZ in a photo lineup, escorted the subjects into their vehicle. They were then driving to McAllen when they got stopped by the Sheriff's Department. She further stated that they were supposed to drop off the subjects and then drive back to Roma, Texas to get paid for transporting them.

3-Julio Cesar MARTINEZ was read his Miranda Rights by Felix Carb. MARTINEZ stated that he understood his rights and was willing to provide a sworn statement without the presence of an attorney.

Julio Cesar MARTINEZ stated that he is a United States Citizen. He lives at 37 Huisache Avenue. He made arrangements with a smuggler from Mexico to harbor undocumented aliens at his residence for \$50 per person. On July 6, 2016, he received call from the people who picked up the undocumented aliens. He gave them his address and provided them with instruction to get to his home. They did as instructed and when they arrived, he escorted only four out of the eight undocumented aliens into their vehicle. He then told the male driver and front female passenger "ok thanks" "esta bueno, gracias" and they left. MARTINEZ further stated that his girlfriend was sleeping in one of the rooms and she had no knowledge of the smuggling event because the aliens were in a different room. The aliens were only supposed to stay inside his home for several hours. MARTINEZ identified the driver as Hugo Alberto GARCIA-Garcia and female front passenger as Natividad GARCIA-Lopez in a photo lineup as the persons who picked up the four undocumented aliens.

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CONTINUATION:

MATERIAL WITNESSES:

Once at the station, all three material witnesses were advised of their Miranda Right. All material witnesses stated that they understood their rights and were willing to provide a statement without the presence of an attorney.

1-Margarito GARCIA-Estrada stated that he is a citizen and national of Mexico. He paid \$1,000 in smuggling fees in Mexico to get smuggled into the United States. On July 5, his group was smuggled by raft into the United States. Once in the US, they got picked up and transported to a home where a male subject instructed them to get into a room. Margarito GARCIA-Estrada identified Julio Cesar MARTINEZ in a photo lineup as the male subject who instructed them to get into one of the rooms and person in charge of the stash house. They were only there for about nine hours until a male driver, who he identified as Hugo Alberto GARCIA-Garcia, in a photo lineup and female passenger arrived to the home and picked four of them up. They drove until the police subsequently stopped them.

2-Lorenzo Manuel DORANTES-Perez stated that he is a citizen and national of Mexico. His friend who lives in Los Angeles made the smuggling arrangements for him. His friend payed approximately \$4,000 USD in smuggling fees. On July 5, his group was smuggled by raft across the Rio Grande River into the United States. Once in the US, they walked until they got picked up and transported to the stash house where they were arrested. He identified Julio Cesar MARTINEZ in a photo lineup as the caretaker of the harboring location. MARTINEZ fed them only once and instructed them to stay in one of the rooms.

3-Carlos VARGAS-Sandoval stated that he is a citizen and national of Mexico. He was going to pay approximately \$4,500 USD in smuggling fees. On July 5, his group was smuggled by raft into the United States. Once in the US, they were eventually picked up by a truck and transported to the stash house where they were arrested at. He identified Julio Cesar MARTINEZ in a photo lineup as the caretaker of the stash house. MARTINEZ was the one who instructed them to get in the home and fed them only once, hamburgers.